

OAK RIDGE SITE SPECIFIC ADVISORY BOARD



2000
ANNUAL REPORT

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P.O. Box 2001, EM-90, Oak Ridge, TN 37831

WELCOME TO THE ORSSAB 2000 ANNUAL REPORT



This has been a productive year for the Oak Ridge Site Specific Advisory Board (ORSSAB), full of activities, accomplishments, and improvements in the way we do business. Our membership changed dramatically with the addition of eight new members and two new student representatives. On a sad note, we also lost a good friend and comrade, Randy Gordon, to cancer this year. Yet despite these changes and challenges, we were able to stay focused on our primary goals and produce the quality advice and recommendations the Department of Energy (DOE) has come to expect from the Board.

Major highlights and accomplishments of the year:

- The Board made 15 recommendations and comments to DOE this year on important topics like stewardship, the Toxic Substances Control Act Incinerator (TSCAI), metals recycling, and environmental sampling.
- We reached out to stakeholders by holding our meetings in new venues, such as Pellissippi State and Roane State community colleges, and we addressed local stakeholder interests and concerns by hosting presentations on topics like fish consumption advisories and off-site disposal facilities.
- ORSSAB sponsored the national “SSAB Workshop on Stewardship,” October 25–27, 1999, during which over 100 DOE stakeholders, including 50 members of SSABs from 9 DOE sites, met in Oak Ridge to discuss the current state of stewardship and the related actions and activities that are most important for DOE to pursue.
- The Board published the *Oak Ridge Reservation Stakeholder Report on Stewardship, Volume 2*, which follows up on the Volume 1 report by spelling out the concerns, expectations, and recommendations of local stakeholders regarding long-term stewardship of the reservation.
- We continued the broad-based stakeholder effort to follow up on long-term stewardship initiatives developed by the SSAB over the past 3 years by including area stakeholders in the meetings and activities of the Stewardship Working Group.
- We expanded our commitment to including the younger generation in our activities by seating two student representatives on the Board this year.
- The Board developed a process for evaluating DOE responses to ORSSAB recommendations and comments and for tracking the effects of those recommendations and comments on DOE activities.

Reaching our goals this year was made easier by steady improvements to our internal processes. We streamlined our committee structure at the beginning of the year, we developed a comprehensive training program and materials for new Board members to get them up to speed quickly on the myriad topics pertaining to DOE’s Environmental Management (EM) Program as well as on the workings of the Board itself, and in mid-August we held our most successful retreat ever and set the tone for effective operation in the year ahead.

I feel certain that the successes we achieved this year will serve us well as we go forward. With so many events taking shape in EM this year—the signing of the EM Waste Management Facility and Melton Valley Records of Decision, Secretarial visits, health and safety issues, and contractor changes at Oak Ridge National Laboratory and the Y-12 Plant—I know we’ll have plenty of issues to work with in FY 2001.

A handwritten signature in black ink that reads "Steven H. Kopp". The signature is fluid and cursive, with the first name "Steven" being more prominent.

Steven H. Kopp, Chair

GENERAL INFORMATION



The Oak Ridge Site Specific Advisory Board (ORSSAB) is a federally appointed citizens' panel that provides advice and recommendations to the U.S. Department of Energy (DOE) on its Oak Ridge Environmental Management (EM) Program. The group

was formed in 1995 and is chartered under the Federal Advisory Committee Act (FACA).

The Board is dedicated to providing informed recommendations and advice to the DOE EM Program regarding environmental restoration and waste management, as well as land use and economic development of contaminated areas. Recommendations regarding environmental justice, health and safety issues, and other subjects may be developed at the Board's discretion. The Board is committed to reflecting the concerns of the communities impacted by environmental management of the Oak Ridge Reservation (ORR) and to serving as a communications link between the public and the relevant government agencies, including local governments.

The Board is composed of up to 20 members, chosen to reflect the diversity of gender, race, occupation, views, and interests of persons living near the ORR. Members are appointed by DOE and serve on a voluntary basis, without compensation. The Board currently consists of 20 voting members from six counties: Anderson, Campbell, Knox, Loudon, Roane, and Sevier. Non-voting members include representatives from the DOE-Oak Ridge Operations (DOE-ORO), the U.S. Environmental Protection Agency (EPA) Region 4, and the Tennessee Department of Environment and Conservation (TDEC). These members advise the Board on their respective agency's policies and views. Two non-voting student participants also serve on the Board to represent the viewpoints and concerns of area youth.

ORSSAB provides a number of avenues for the public to learn and express views about DOE-ORO EM work. All Board and committee meetings are open to the public and are announced in newspaper advertisements and in the *Federal Register*, at the Information Resource Center in Oak Ridge, and through the Board's 24-hour information line: 865-576-4750. Board meetings are video recorded and broadcast on local cable television; copies of the tapes are available for public review. The Board maintains a Web site at <http://www.oakridge.doe.gov/em/ssab/>, where other information can be found. Information is also available by calling the ORSSAB support office at 865-241-3665 or 1-800-382-4582, Monday–Friday, 8:00 a.m.–5:00 p.m. Eastern Time.

BOARD MEETINGS

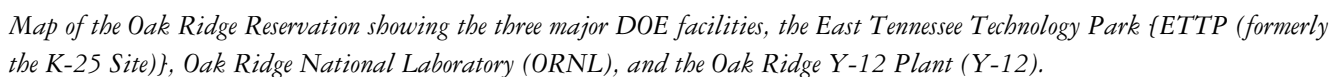
The Board meets monthly to hear presentations by persons working on relevant environmental management topics, listen to and discuss input from concerned citizens, consider recommendations to DOE developed by the various ORSSAB committees, and conduct other business. The Board conducts business under Roberts Rules of Order and strives for consensus in reaching decisions. See Appendix A for a listing of Fiscal Year (FY) 2000 Board meetings.



At the start of FY 2000, the Board established the following standing committees to review issues concerning four topic areas: Environmental Restoration, Project Baseline, Stewardship, and Waste Management. Two ad hoc committees were formed to address special issues: Board Process and Public Outreach.

committee leaders, holds general administrative authority to set budgets and agendas, coordinate the work of committees, and transact business as may be necessary between regular meetings. ORSSAB committees usually meet monthly, and all meetings are open to the public.

Chair: Steve Kopp; Vice Chair: Demetra Nelson;
Secretary: Rikki Traylor.



FY 2000 RECOMMENDATIONS & COMMENTS

In FY 2000 the Board studied a variety of issues related to DOE EM activities. Review of an issue usually begins in the standing committees, which prepare draft recommendations and comments for Board review and approval. The review process often includes detailed briefings in an open forum where Board members may ask questions and discuss their views. All meetings are open to public participation and comment, which is an integral part of the ORSSAB study and recommendation process. Each monthly Board meeting includes time for public input and response, and citizens

attending the meetings are invited to ask questions and express views following technical briefings.

Following is a list of the recommendations and comments submitted to DOE-ORO and other organizations during FY 2000. See Appendix B for text of recommendations and comments; a brief history of each recommendation or set of comments and DOE's response (where applicable) are also included. Complete text of all recommendations is available at the Information Resource Center and on the Board's Web page (<http://www.oakridge.doe.gov/em/ssab>).

NUMBER	RECOMMENDATION OR COMMENT	ISSUED
R09/6/00.14	Recommendation to Secretary Richardson Expressing Opposition to Decision to Suspend Scrap Metal Sales Under NRC Reg Guide 1.86	9/6/00
R08/11/00.13	Recommendation to Endorse Statement of Common Values of the EM SSABs	8/11/00
R07/5/00.12	Recommendation for Revisions to the <i>Public Involvement Plan for the Oak Ridge Reservation</i> (DOE/OR/01-1552&D1)	7/5/00
R07/5/00.11	Recommendation for Revisions to the <i>Federal Facility Agreement for the Oak Ridge Reservation</i> (DOE/OR-1014) Regarding Potential Destruction of Documents	7/5/00
R07/5/00.10	Recommendation for Revisions to the <i>Federal Facility Agreement for the Oak Ridge Reservation</i> (DOE/OR-1014) Regarding 5-Year Reviews	7/5/00
R07/5/00.9	Recommendation for Stewardship Requirements for Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Documents	7/5/00
R07/5/00.8	Recommendations and Comments on the <i>Draft Notice of Intent to Comply with Final Standards for Hazardous Air Pollutants from Hazardous Waste Combustors</i> (TSCAI 0108)	7/5/00
R06/7/00.7	Recommendations and Comments on the <i>2000 Remediation Effectiveness Report</i>	6/7/00
R05/3/00.6	Recommendation on Pilot Project Concept to Integrate Long-Term Stewardship Needs into the City's Geographical Information System and Records Management Systems	5/3/00
R05/3/00.5	Recommendation on Formation of Panel to Examine New Technology Alternatives to Incineration	5/3/00
R05/3/00.4	Recommendation on the <i>Draft Environmental Assessment for the Sale of Zinc Bromide Solutions for Commercial Recycling and Reuse</i> , DOE/EA-1324, February 2000	5/3/00
R04/5/00.3	Recommendations and Comments on the <i>Draft EIS for Treating Transuranic/Alpha Low-Level Waste at the Oak Ridge National Laboratory</i> , DOE-EIS-0305-D, February 2000	4/5/00
R02/2/00.2	Approval of the Stewardship Working Group's <i>ORR Stakeholder Report on Stewardship, Vol. 2</i>	2/2/00
C12/1/99.1	Comments on the <i>Draft Proposed Sampling and Analysis Plan for the Scarboro Community, Oak Ridge, Tennessee; SESD Project No. 99-0351 (Revision 1)</i>	12/1/99
R10/27/99.1	Recommendation to Establish an EPA Site Office in Oak Ridge	10/27/99

OTHER FY 2000 BOARD ACTIVITIES

NATIONAL SSAB STEWARDSHIP WORKSHOP

On October 25–27, 1999, over 100 DOE stakeholders, including 50 members of SSABs from 9 DOE sites, met for 2 days in Oak Ridge to discuss the current state of stewardship at DOE sites and the related actions and activities that are most important for DOE to pursue in the near future.

Participants in the SSAB Workshop on Stewardship developed *Ten Next Steps for Stewardship* and agreed that DOE, in cooperation with its stakeholders, must provide direction, funding, and technical support for implementation of these actions. The ten steps and their associated issues can be combined and summarized as follows:

- acceptance of the responsibility for long-term stewardship for contaminated areas;
- development of a national policy on stewardship;
- establishment of a legal mandate for funding stewardship activities separate from remediation funding;
- development of a better understanding of the trade-offs and relationship between cleanup and stewardship;
- development of guidance for site-specific stewardship plans;
- involvement of stakeholders in stewardship planning, oversight, and review; and
- establishment of information systems (e.g., data bases, permanent markers) designed for use for future generations.

The workshop was coordinated by the Oak Ridge Stewardship Working Group (SWG), a broad-based, independent citizens' group established by ORSSAB in February 1999. SWG also prepared and published, in December 1999, the *Oak Ridge Reservation Stakeholder Report on Stewardship, Volume 2*. The document follows up on the two previously published ORSSAB reports: the *Final Report of the Oak Ridge Reservation End Use Working Group* and the *Oak Ridge Reservation Stakeholder Report on Stewardship, Volume 1*, both published in July 1998.

PRESENTATION TO THE NATIONAL RESEARCH COUNCIL

On June 26, 2000, representatives from the National Research Council traveled to Oak Ridge to gather stakeholder input on end uses for the ORR. Bill Pardue, on behalf of ORSSAB, gave a presentation on the End Use Working Group (EUWG) and discussed other Board activities concerning the topic.

REVIEW OF THE 1999 ANNUAL SITE ENVIRONMENTAL REPORT

This report is published each year to summarize monitoring and other environmental activities at the reservation. Because of the Board's historical interest in the report, this year the publishers invited ORSSAB to provide pre-publication input to the 1999 document. Luther Gibson reviewed several draft chapters and made a number of substantive comments and recommendations for improvements to the report.

ANNUAL PLANNING RETREAT

The Board held its annual planning retreat on Saturday, August 12, 2000, at the Best Western Valley View Lodge, Townsend, Tennessee. The purpose of the retreat was to begin work on the FY 2001 work plan by selecting issues to address in FY 2001 and determining committee structure.

PUBLIC FORUMS ON EM TOPICS

The Board made a concerted effort this year to reach out to stakeholders by holding meetings in new venues, such as Pellissippi State Community College, Roane State Community College–Oak Ridge, and Roane State Community College–Harriman. The Board geared its presentations to address local stakeholder interests and concerns. Topics included Watts Bar Reservoir fish consumption advisories, metals recycling, and off-site disposal facilities. See Appendix A for a list of FY 2000 meetings and the "Committees" chapter of this report for additional information.

PARTICIPATION IN MEETINGS & CONFERENCES

ORSSAB members took part in several meetings, workshops, and conferences during the year to (1) participate in discussions on EM and waste management policy, (2) gain understanding of relevant technical issues, (3) discuss subjects of mutual interest and develop personal contacts with SSAB counterparts at other sites, and (4) present technical papers on EM-related topics.

SSAB WORKSHOP ON STEWARDSHIP, OAK RIDGE, TENNESSEE, OCTOBER 1999

Members participating: Randy Gordon, Steve Kopp, Bill Pardue, Lorene Sigal, Charles Washington. Over 100 DOE stakeholders, including 50 members of SSABs from 9 DOE sites, met for 2 days in Oak Ridge to discuss the current state of stewardship at DOE sites and the related actions and activities that are most important for DOE to pursue in the near future. Participants developed a policy statement, *Ten Next Steps for Stewardship*, and agreed that DOE, in cooperation with its stakeholders, must provide direction, funding, and technical support for implementation of these actions.

DOE-HQ LONG-TERM STEWARDSHIP SCOPING MEETING, OAK RIDGE, TENNESSEE, OCTOBER 1999

Members participating: Steve Kopp, Bill Pardue, Lorene Sigal, Charles Washington. Jim Werner, Director of Strategic Planning and Analysis at DOE-Headquarters (DOE-HQ), conducted a meeting to gather input from stakeholders regarding a national study on long-term stewardship and the institutional and programmatic issues facing DOE as it completes environmental cleanup at its sites. The study was being prepared to comply with terms of a settlement agreement that resolved a lawsuit brought against DOE by the Natural Resources Defense Fund and other plaintiffs.

MEETING OF THE PROGRAM ADVISORY COMMITTEE OF THE INTERNATIONAL CONFERENCE ON INCINERATION AND THERMAL TREATMENT TECHNOLOGIES (IT3), NEWPORT BEACH, CALIFORNIA, NOVEMBER 1999

Members participating: Luther Gibson. Participation in this meeting provided a unique opportunity for Oak Ridge stakeholder input on development of the technical program for the May 2000 IT3 conference.

INTERNATIONAL ASSOCIATION FOR PUBLIC PARTICIPATION, BANFF, CANADA, NOVEMBER 1999

Member participating: Steve Kopp. Over 400 attendees from the U.S., Canada, Japan, and other countries met to participate in workshops and panel discussions on public participation. Several sessions were devoted to incorporation of public input to the environmental decision-making process. Mr. Kopp presented a paper titled "Taking the Report-Back Function Seriously: The Oak Ridge SSAB's Public Outreach Program."

15TH ANNUAL OAK RIDGE ENVIRONMENTAL CONFERENCE, OAK RIDGE, TENNESSEE, DECEMBER 1999

Members participating: Jeff Cange, Bill Pardue. The theme of the conference, "Expanding Opportunities Into the 21st Century: Basis for Tomorrow's Success," highlighted both the technical and business aspects of DOE's EM Program. The agenda included technical sessions, discussions of markets, and case studies related to non-DOE programs. The ORSSAB Public Outreach Committee sponsored a booth to educate participants about Board activities.

SEMIANNUAL SSAB NATIONAL CHAIRS MEETING, IDAHO FALLS, IDAHO, FEBRUARY 2000

Members participating: Steve Kopp, Bill Pardue. Hosted by the Idaho National Engineering and Environmental Laboratory (INEEL) Citizens Advisory Board (CAB), the meeting began with a "round robin" discussion of general issues and information exchange among the SSABs. Presentations were given by DOE on the development of national transportation system protocols for waste shipment, the status of the Waste Management Programmatic Environmental Impact Statement (PEIS), and other topics. The Chairs began work on the SSAB "common values" statement—an effort to codify mutual values and interests to serve as the cornerstone for interaction and solidarity among the SSABs.

**WASTE MANAGEMENT 2000, TUCSON, ARIZONA,
FEBRUARY 2000**

Members participating: Steve Kopp, Lorene Sigal. The conference featured workshops, panel discussions, and presentations on various topics related to the storage, treatment, transportation, and disposal of hazardous and mixed waste. Mr. Kopp presented a paper titled "Taking the Report-Back Function Seriously: The Oak Ridge SSAB's Public Outreach Program," and Ms. Sigal presented "Next Steps for Stewardship: Results of the DOE Site Specific Advisory Boards' Workshop on Stewardship," a paper she co-authored with the Board's technical advisor, Doug Sarno.

**WESTERN STAKEHOLDERS' FORUM ON LAND USE
CONTROLS IN FEDERAL FACILITIES CLEANUP,
SAN FRANCISCO, CALIFORNIA, FEBRUARY 2000**

Member participating: Bill Pardue (scholarship participant). Representatives of local government and community organizations, federal agencies, state regulators, private sector, and academia met to discuss the role of land use controls in the cleanup of federal facilities. Agenda topics included policies and procedures for strengthening land use controls, long-term monitoring, access, and transfers.

**DOE EM SCIENCE PROGRAM NATIONAL WORKSHOP,
ATLANTA, GEORGIA, APRIL 2000**

Member participating: Charles Washington. The focus of this workshop was on the transfer of knowledge gained from completed and ongoing EM Science Program activities. The event promoted technical dialogue among researchers, field program/project managers, regulators, and stakeholders through technical breakout and post-board sessions.

IT3, PORTLAND, OREGON, MAY 2000

Members participating: Luther Gibson, Charles Washington. This conference is held annually to expand understanding of the various types and designs of continuous emissions monitoring devices, new waste treatment technologies, and incinerators used for thermal treatment of wastes. The topics have several tie-ins with TSCAI. Mr. Gibson chaired the Emission Measurement and Characterization session and participated in activities of the Program Advisory Committee.

**EASTERN STAKEHOLDERS' FORUM ON LAND USE
CONTROLS IN FEDERAL FACILITIES CLEANUP,
CRYSTAL CITY, VIRGINIA, JUNE 2000**

Members participating: Bill Pardue, Lorene Sigal. Agenda topics included a primer on land-use controls, a federal plenary panel, a regional and state developments panel, a presentation on costs and financing, and breakout sessions. Most of one day was devoted to a case study involving a "real world draft framework for land use controls." Long-term stewardship issues were discussed in a breakout session.

**SEMIANNUAL SSAB NATIONAL CHAIRS MEETING,
AMARILLO, TEXAS, AUGUST 2000**

Members participating: Luther Gibson, Charles Washington. Hosted by the Pantex Plant CAB, the meeting included a presentation on groundwater contamination and status updates on DOE-HQ EM activities. Two topics of special importance were planning for the October 2000 SSAB Stewardship Workshop and completing work on the SSAB Common Values.

**THIRD ANNUAL LONG-TERM STEWARDSHIP
WORKSHOP, DENVER, COLORADO, AUGUST 2000**

Member participating: Lorene Sigal. The workshop was sponsored by the DOE Grand Junction Office, which holds long-term stewardship responsibility for closed DOE sites. Sessions included surveillance and maintenance, post-closure planning, and information management. Ms. Sigal presented a paper titled "Stewardship Initiatives in Oak Ridge: A Chronology."

**SPECTRUM 2000, CHATTAGOOGA, TENNESSEE,
SEPTEMBER 2000**

Members participating: Bill Pardue, Lorene Sigal. A biannual, international conference focused on technology development for waste management applications, Spectrum enables an extensive international exchange of information related to deployed, emerging, and advanced technologies. During the session on stakeholder involvement, Mr. Pardue presented a paper titled "SSAB Influence on DOE Waste Management Transportation," and Ms. Sigal presented "Stakeholder Involvement in Stewardship."

ORSSAB PUBLIC OUTREACH

The goal of ORSSAB public outreach is to achieve the Board's mission as it relates to community involvement:

"The Board is committed to reflecting the concerns of the communities impacted by environmental management of the Oak Ridge Reservation and to serving as a communications link between the public and DOE."

ORSSAB invites public participation in Board activities and uses a variety of methods to achieve its outreach goals. Following are some of the methods and materials used by the Board to get the word out about ORSSAB and its activities.

24-hour information line —A recorded phone message (at 865-576-4750) offers up-to-date information on ORSSAB meetings and special events.

Toll-free number —Stakeholders from outside the local calling area can get in touch with the support office by calling toll free: 1-800-382-6938.

AdvocateneWSletter —Approximately 500 newsletters are mailed out quarterly to inform local stakeholders about ORSSAB activities and maintain an ongoing dialogue with the community.

Annual Report —The report is sent to state legislators, local media and organizations, and governmental agencies to promote awareness of Board activities.

Briefings and presentations —Presentations to local civic, educational, and governmental organizations serve to encourage participation in Board activities, and they are an important way to achieve the Board's educational and communication goals.

Brochure —Distributed at meetings, conferences, and presentations, the brochure draws a quick portrait of Board activities and includes a reply card that makes it easy to get more information about the Board.

Cable TV —Most Board meetings begin with an EM-related presentation, and this portion of the meeting is broadcast on the local cable station to help educate the public about EM activities.

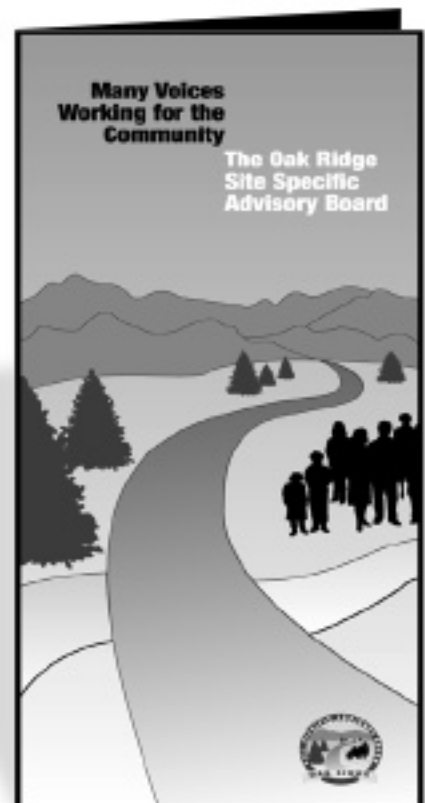
Conference presentations —Board members regularly make presentations at local and national conferences on EM- and SSAB-related topics.

Information booklet —A guide to the SSAB designed for distribution to the public at local libraries and other resource agencies.

EM Information Resource Guide —The guide was developed initially as a tool for Board members but is also distributed at Board meetings and presentations to promote the SSAB as an information resource for the public.

Newspaper ads —An ad is placed in local papers each month to meet the goal of informing and involving the public in Board activities. Ads are also used to advise the public of special events.

News releases —Releases are developed on newsworthy topics, such as appointments to the Board, public meetings sponsored by ORSSAB, and special presentations at Board meetings.



Poster —The poster holds ORSSAB brochures and is posted at the library, visitors' bureau, DOE site buildings, and other locations.

Special mailings and posters —The Board advertises special presentations and events by sending out special mailings to local civic and EM stakeholder groups. Posters are also used, when appropriate, to get the word out about these activities.

Stakeholder survey —The annual survey is the primary means through which the Board evaluates its effectiveness in communicating with the public. The survey is sent out to persons and organizations on the Board's mailing lists and is available on the Board's web site.

Video—Shown primarily at conferences, the 6-minute video gives an overview of the EM Program and ORSSAB's mission.

Web page —(<http://www.oakridge.doe.gov/em/ssab>).

The web site serves three purposes: it provides information about the Board, it serves as a one-stop information resource, and it helps the Board evaluate its effectiveness via the stakeholder survey.



Getting the word out involves getting out into the community, into meetings of other organizations, and into the sites where EM work takes place. This year, Board members made a number of presentations and contacts with area stakeholders and organizations. Following is a list of those activities.

ORGANIZATION	DATE	MEMBERS PARTICIPATING
Oak Ridge (Noontime) Rotary Club	8/24/00	Pardue, Srdoc, Vowell
Bethel Presbyterian Church	7/9/00	Washington
Citizens for a Healthy Environment	5/18/00	Washington
Knoxville Area Chamber Partnership	5/9/00	Pardue, Cange
<i>Knoxville News-Sentinel</i> Oak Ridge Bureau	5/5/00	Kopp
Staff of Anderson County Executive Rex Lynch	4/28/00	Kopp
Oak Ridge (Breakfast) Rotary Club	2/16/00	Kopp
Roane State Community College Environmental Sciences Class	2/1/00	Pardue
Roane State Community College Environmental Law Class	2/1/00	Kopp, Wiest
Lenoir City Committee of 100	1/13/00	Washington, Srdoc
Dyllis Elementary	12/16/99	Gibson, Srdoc
Oak Ridge High School	11/11/99	Kopp, Washington, Wiest
Oak Ridge Human Resources Association	11/4/99	Traylor, Nelson
Oak Ridge Regional Planning Commission	10/28/99	Washington

COMMITTEES



BOARD PROCESS COMMITTEE

Committee members, left to right: Lorene Sigal, Rikki Traylor (Committee leader). Not pictured: Dave Mosby (Committee co-leader).

The purpose of this committee is to serve as the Board's forum for initial debate on issues involving Board process. The committee's scope includes bylaws, standing rules, Board meeting structure, staff interface (including handling requests for technical assistance), standards and formats for submitting recommendations and comments to DOE, new member training, retreat planning, and preparation of the Board's work plan.

HIGHLIGHTS

- Developed a comprehensive training program and materials for new Board members, which included the following:
 - Presentations on ORR watersheds, DOE-HQ guidance, ORSSAB Bylaws, DOE-ORO EM Program, waste disposal options, EM-related laws and regulations, and risk assessments
 - Tour of the ORR
 - Special meeting on June 21, 2000, for new member orientation
 - Mentor program
 - Training manual
 - Reference manual
 - Orientation booklet
- Planned the Board's annual retreat and developed the following materials in support of the event:
 - "Process for Creating ORSSAB FY 2001 Work Plan"
 - "Annotated Outline for Developing FY 2001 Goals, Objectives, and Tasks"
 - "Template for Creating Committee Work Plans Following Retreat"
- Developed the FY 2000 ORSSAB work plan

- Developed a recommendation that ORSSAB seat two student members on the Board; established and directed student recruitment process; created criteria list for evaluating student applicants

OTHER ACTIVITIES

- Developed revisions to Board Bylaws, Standing Rules, and Special Rules of Order
- Issued "Guidance for Sharing of Information" to establish a process for members to efficiently disseminate information to all Board members
- Developed and presented a program on parliamentary procedures for the September 6, 2000, Board meeting
- Issued "Guidance, Timetable, and Procedures for Requesting Technical Support."



ENVIRONMENTAL RESTORATION COMMITTEE

Committee members, clockwise from top left: Jake Alexander (Committee leader), Pat Rush, Jeff Cange (Committee co-leader), Bill Pardue, Charles Washington, Steve Kopp.

The mission of this committee is as follows: (1) Develop a comprehensive understanding of DOE's tentative project action decisions in 2000 relative to plans for specific environmental restoration projects on the ORR and, to the extent practical, facilitate public participation in providing written feedback to DOE on these decisions. (2) Evaluate DOE's implementation of ongoing ORR environmental restoration projects, and document any significant observations and concerns. (3) As time and resources might allow, identify and evaluate "cross-cutting" issues associated with the broad spectrum of ongoing and anticipated ORR environmental restoration projects.

RECOMMENDATIONS AND COMMENTS

- Recommendation to Secretary Richardson Expressing Opposition to Decision to Suspend Scrap Metal Sales Under NRC Reg Guide 1.86



EXECUTIVE COMMITTEE

Committee members, clockwise from top left: Lorene Sigal, Jeff Cange, Jake Alexander, Rikki Traylor (Secretary), Luther Gibson, Steve Kopp (Chair). Not pictured: Demetra Nelson (Vice Chair).

General Board business is handled by the Executive Committee, which is composed of the Board officers and the committee leaders. It holds general administrative authority to set budgets and agendas, coordinate the work of committees, and transact business as may be necessary between regular meetings. The Executive Committee presents all recommendations other than administrative ones to the Board for action.

HIGHLIGHTS

- Developed a process for evaluating DOE responses to Board recommendations and comments and for tracking the effects of those recommendations and comments on DOE activities
- Participated in source evaluation for the technical advisor/facilitator support contract

RECOMMENDATIONS AND COMMENTS

- Recommendation to Endorse Statement of Common Values of the EM SSABs
- Comments on the Draft Proposed Sampling and Analysis Plan for the Scarboro Community, Oak Ridge, Tennessee; SESD Project No. 99-0351
- Recommendation to Establish an EPA Site Office in Oak Ridge

PARTICIPATION IN MEETINGS AND CONFERENCES

- Semiannual SSAB National Chairs Meeting, Idaho Falls, Idaho, February 2000
- Semiannual SSAB National Chairs Meeting, Amarillo, Texas, August 2000



PROJECT BASELINE COMMITTEE

Committee members, clockwise from top left: Bill Pardue, Jeff Cange (Committee leader), Rikki Traylor, Luther Gibson, Lorene Sigal. Not pictured: Dave Mosby (Committee co-leader).

The mission of the Project Baseline Committee is to develop an understanding of the EM budgetary process, including the prioritization and sequencing of ORR projects, in support of the SSAB role to provide DOE with recommendations and comments concerning the funding and execution of these projects. A primary focus of the committee is accountability—specifically, DOE's approach to enhance the cost-effectiveness of work within the EM program on the ORR.

HIGHLIGHTS

- Co-sponsored and assisted DOE with the content of a public meeting on the EM budget. The meeting, which focused on the EM budgets for FYs 2000, 2001, and 2002, was held on February 15, 2000, at the Jacobs Technical Center

PARTICIPATION IN MEETINGS AND CONFERENCES

- 15th Annual Oak Ridge Environmental Conference, Oak Ridge, Tennessee, December 1999



PUBLIC OUTREACH COMMITTEE

Committee members, clockwise from top left: Steve Kopp, Bill Pardue, Charles Washington (Committee co-leader), Darrell Srdoc (Committee leader). Not pictured: Anne-Marie Wiest.

The Public Outreach mission is to serve as a communication link between ORSSAB and the public surrounding the ORR. The committee's goals are to (1) serve as an effective general outreach arm of Board, (2) facilitate specialized outreach of all SSAB committees, (3) promote participation in environmental decision-making processes at the ORR, and (4) ensure the delivery of effective public education on environmental decisions. The committee's approach is to identify individual stakeholders and local groups and choose appropriate vehicles to communicate with them.

HIGHLIGHTS

- Made numerous presentations to local civic, governmental, and educational organizations to inform and involve the public in ORSSAB activities (see listing in the "Public Outreach" chapter of this report)
- Sponsored a display at the 15th annual Oak Ridge Environmental Conference, December 7–8, 1999
- Provided publicity for the February 2, 2000, Board meeting, at which TDEC's Earl Leming presented the agency's role in developing the Watts Bar fish consumption advisories. The meeting, which was held at the Roane State Community College campus in Harriman, provided area residents with information about why the advisories were issued, how they were developed, and the review process used to keep them current

- Sponsored a public meeting on requirements for federal contractors on March 15, 2000, at the Jacobs Technical Center. Bob Brown, Assistant District Director of the Office of Federal Contract Compliance Programs, U.S. Department of Labor, Nashville Office, discussed requirements for federal contractors
- Provided publicity for the July 5, 2000, Board meeting, at which representatives from three western radioactive waste disposal facilities—the Waste Isolation Pilot Plant (WIPP), the Nevada Test Site (NTS), and Envirocare of Utah—discussed their disposal operations. The meeting offered stakeholders the opportunity to hear about these facilities firsthand and ask questions about how the facilities operate, what transportation options are available, and other issues related to radioactive waste disposal

PARTICIPATION IN MEETINGS AND CONFERENCES

- International Association for Public Participation, Banff, Canada, November 1999. Steve Kopp presented a paper titled "Taking the Report-Back Function Seriously: The Oak Ridge SSAB's Public Outreach Program"

OTHER ACTIVITIES

- Issued five news releases on ORSSAB-related topics
- Published four issues of the *Advocate* newsletter
- Produced the following outreach materials:
 - FY 2000 Stakeholder Survey
 - Updated brochure
 - Fact sheet
- Began broadcast of Board meeting presentations on Oak Ridge Cable Channel 12
- Made extensive changes to the Board's Web site—completely redesigning the site and adding many new links and publications
- Reviewed and directed publication of the *ORSSAB FY 1999 Annual Report*



STEWARDSHIP COMMITTEE

Committee members, left to right: Steve Kopp, Lorene Sigal (Committee leader), Bill Pardue (Committee co-leader).

Goals for the Stewardship Committee are to (1) ensure that DOE takes steps toward an effective stewardship program for the ORR, (2) promote local involvement in stewardship for the ORR, and (3) further a national commitment to stewardship across DOE sites.

HIGHLIGHTS

- Sponsored the “SSAB Workshop on Stewardship” on October 25–27, 1999, during which over 100 DOE stakeholders, including 50 members of SSABs from 9 DOE sites, met for 2 days in Oak Ridge to discuss the current state of stewardship at DOE sites and the related actions and activities that are most important for DOE to pursue in the near future (see “Other FY 2000 Board Activities” for additional information)
- Published the *Oak Ridge Reservation Stakeholder Report on Stewardship, Volume 2* (December 1999)
- Continued the broad-based stakeholder effort to follow up on long-term stewardship initiatives developed by the SSAB over the past 3 years by including area stakeholders in the meetings and activities of SWG

RECOMMENDATIONS AND COMMENTS

- Recommendation for Revisions to the *Public Involvement Plan for the ORR*
- Recommendation for Revisions to the *Federal Facility Agreement (FFA) for the ORR* Regarding Potential Destruction of Documents
- Recommendation for Revisions to the *FFA for the ORR* Regarding 5-Year Reviews
- Recommendation for Stewardship Requirements for CERCLA Documents
- Recommendations and Comments on the *2000 Remediation Effectiveness Report (RER)*

- Recommendation on Pilot Project Concept to Integrate Long-Term Stewardship Needs into the City’s Geographical Information System and Records Management Systems
- Recommendation for Approval of SWG’s *Oak Ridge Reservation Stakeholder Report on Stewardship, Volume 2*

PARTICIPATION IN MEETINGS AND CONFERENCES

- SSAB Workshop on Stewardship, Oak Ridge, Tennessee, October 1999
- DOE-HQ Long-Term Stewardship Scoping Meeting, Oak Ridge, Tennessee, October 1999
- Waste Management 2000, Tucson, Arizona, February 2000. Lorene Sigal presented “Next Steps for Stewardship: Results of the DOE SSABs’ Workshop on Stewardship,” a paper she co-authored with the Board’s technical advisor, Doug Sarno
- Western Stakeholders’ Forum on Land Use Control in Federal Facilities Cleanup, San Francisco, California, February 2000
- Eastern Stakeholders’ Forum on Land Use Control in Federal Facilities Cleanup, Crystal City, Virginia, June 2000
- Third Annual Long-Term Stewardship Workshop, Denver, Colorado, August 2000. Lorene Sigal gave a presentation titled “Stewardship Initiatives”
- Spectrum 2000, Chattanooga, Tennessee, September 2000. Lorene Sigal presented a paper titled “Stewardship Initiatives in Oak Ridge: A Chronology”

OTHER ACTIVITIES

- Developed a checklist for tracking DOE responses to stewardship recommendations made by the committee, EUWG, and SWG
- Developed a checklist for use in reviewing DOE decision documents to ensure that they include stewardship principles and activities
- Published the SSAB National Stewardship Workshop Report (December 1999)



WASTE MANAGEMENT COMMITTEE

Committee members, left to right: Bill Pardue, Charles Washington, Luther Gibson (Committee co-leader). Not pictured: Randy Gordon (Committee leader), Demetra Nelson.

The FY 2000 mission of the Waste Management Committee is to study and make recommendations concerning (1) off-site waste disposal options; (2) transportation issues; (3) TSCAI permitting, emissions, and public acceptance; and (4) the on-site EM Waste Management Facility.

HIGHLIGHTS

- Drafted a joint resolution between ORSSAB and the NTS CAB on reciprocal exchange of waste streams to support the immediate issuance of Records of Decision (RODs) that would permit the scheduled shipment of wastes between the sites (the RODs were signed this year as discussions were taking place between ORSSAB and the NTS CAB)
- Sponsored a public presentation on the EM Waste Management Facility on December 15, 1999, at the Jacobs Technical Center. The purpose of the presentation was to update stakeholders on the facility following signing of the facility's ROD and award for construction to Waste Management Federal Services

RECOMMENDATIONS AND COMMENTS

- Recommendations and Comments on the *Draft Notice of Intent to Comply with Final Standards for Hazardous Air Pollutants from Hazardous Waste Combusters* (TSCAI 0108)
- Recommendation on Formation of Panel to Examine New Technology Alternatives to Incineration
- Recommendation on the *Draft Environmental Assessment for the Sale of Zinc Bromide Solutions for Commercial Recycling and Reuse*, DOE/EA-1324, February 2000
- Recommendations and Comments on the *Draft Environmental Impact Statement for Treating Transuranic/Alpha Low-Level Waste at the Oak Ridge National Laboratory, Oak Ridge, Tennessee*, DOE-EIS-0305-D, February 2000

PARTICIPATION IN MEETINGS AND CONFERENCES

- Meeting of the Program Advisory Committee of IT3, Newport Beach, California, November 1999
- Waste Management 2000, Tucson, Arizona, February 2000. Steve Kopp presented a paper titled "Taking the Report-Back Function Seriously: The Oak Ridge SSAB's Public Outreach Program"
- DOE EM Science Program National Workshop, Atlanta, Georgia, April 2000
- IT3, Portland, Oregon, May 2000. Luther Gibson chaired the Emission Measurement and Characterization session and participated in activities of the Program Advisory Committee
- Spectrum 2000, Chattanooga, Tennessee, September 2000. Bill Pardue presented a paper titled "SSAB Influence on DOE Waste Management Transportation"

MEMBERSHIP



ORSSAB members, ex officios, and student representatives, top row left to right: Luther Gibson, Jake Alexander, Shane Bellis, Steve Lewis, Kerry Trammell, Peery Shaffer, Bill Pardue, Tami Hamby, Corkie Staley, Rikki Traylor, Connie Jones, John Owsley. Bottom row left to right: Mary Lynn Fletcher, Scott Vowell, Avalon Mansfield, Jeff Cange, Charles Washington, Pat Rush, Darrell Srdoc, Lorene Sigal, Steve Kopp. Not pictured: A. Lewis Greene, Dave Mosby, Demetra Nelson.

JAKE ALEXANDER

Jake is a regulatory compliance manager with BNFL and a member of the adjunct faculty with U.T.'s Engineering Graduate School. He serves on the Oak Ridge Health Agreement Steering Panel and was on the Environmental Quality Advisory Board. Jake was leader of the FY 2000 Environmental Restoration Committee.

SHANE BELLIS

Shane is a senior at Clinton High School, where his course work includes chemistry, physics, and honors English. Shane has worked as a summer intern for NOAA and as a volunteer with the Knoxville Work Camp, where he painted houses for the underprivileged.

JEFF CANGE

Jeff is an Anderson County resident and a project manager/technical specialist. He holds a masters degree in geology and water resources engineering and is a registered professional geologist. Jeff served as leader of the Project Baseline Committee in FY 2000.

MARY LYNN FLETCHER

Dr. Fletcher is a public health scientist who is retired from the U.S. Public Health Service. She was Director of the Rural Health Research Program and later became the Executive Assistant to the Surgeon General. She is a board member of several organizations and is a former member of the Loudon County Chamber of Commerce.

LUTHER V. GIBSON, JR.

Luther holds an M.S. degree in chemical engineering and works in the Lockheed Martin Energy Systems Analytical Chemistry Organization. He has worked for DOE contractors for 23 years on environmental

technologies and was 1998-99 chair of the East Tennessee Chapter of the Air & Waste Mgmt. Assn.

TAMI HAMBY

Tami is a waste operations coordinator for MDM Services, with 9 years experience in environmental sampling and analysis for various sites in Oak Ridge. She is a resident of Harriman.

STEVE KOPP

Steve manages the environmental compliance, nuclear facility safety, training, and quality assurance programs for WESKEM, LLC. He is an attorney with more than 24 years of experience in the environmental health and safety regulatory field and is immediate past Chair for the Citizens' Advisory Panel of the Local Oversight Committee (LOC). Steve served as ORSSAB Chair in FY 2000.

STEVE LEWIS

Steve is an environmental compliance associate at ORNL and is a trained environmental sampling technician with 12 years experience on the ORR. Steve is a member of the Melton Hill Lake Users Association and a Knox county resident.

AVALON MANSFIELD

Avalon is a senior at Oak Ridge High School, where her course work is focused toward a career in the environmental sciences. She is secretary of the school's Art Club and has won many awards for her paintings. She has participated in many travel exchange programs and has visited five foreign countries.

DAVID MOSBY

Dave is a project manager with Lockheed Martin Energy Systems, where he manages multidiscipline facility support projects at the Y-12 Plant. He serves as a community representative for the NAACP. Dave is also vice president of the Oak Ridge Regional Planning Commission and chairs the zoning committee.

DEMETRA NELSON

Demetra is a senior scientist for Radian International. She is a member of Spurgeon Chapel AME Zion Church and Alpha Kappa Alpha Sorority, Inc. Demetra served as leader of the Health & Safety Committee in FY 1999 and as Board Vice Chair in FYs 2000 and 2001.

BILL PARDUE

Bill is retired from the nuclear research and development field but is consulting for the environmental industry. He is a member of the East Tennessee Environmental Business Association and is a former member the DOE Community Leaders Network. Bill was ORSSAB Vice Chair in FY 1997 and Chair in FYs 1998 and 1999.

PAT RUSH

Pat served on the City Charter Commission in FY 1985–86 and has served on the Oak Ridge City Council since 1987. She was leader of the ETTP Project Committee in FY 1997–98 and is a member of the Altrusa Club of Oak Ridge. Pat holds a degree in physics and mathematics.

PEERY SHAFFER

Peery is the Health and Safety Representative for the Paper, Allied-Industrial, Chemical, and Energy Workers Union in Oak Ridge and has worked in operations and maintenance at the DOE K-25 Site (now ETTP) for 25 years. Peery is a Campbell County resident.

LORENE SIGAL

Lorene retired from ORNL, where she worked as an ecologist. Her background includes work with the DOE Office of NEPA Oversight. Lorene served as leader of the Budget & Prioritization Committee in FYs 1998 and 1999, as SWG leader in FY 1999, and as leader of the Stewardship Committee in FYs 1999 and 2000.

DARRELL SRDOC

Darrell is a quality assurance manager for GTS Duratek. He holds a B.S. in Metallurgical Engineering Technology. For 16 years Darrell has been involved in quality assurance, engineering, and management systems integration in and around DOE facilities. Darrell served as leader of the Public Outreach Committee in FY 2000.

CORALIE (CORKIE) STALEY

Corkie is an elementary school teacher in Oak Ridge and holds an M.S. degree in curriculum and instruction. She is the current president of the Oak Ridge Education Association and is a member of the Tennessee Education Association and the National Education Association. She has lived in Oak Ridge for 17 years.

KERRY TRAMMELL

Kerry holds an M.S. degree in health planning and administration and works for NHC Healthcare. An Oak Ridge resident, he has served two terms on the Oak Ridge Chamber of Commerce and is currently president of the Anderson County Health Council.

RIKKI TRAYLOR

Rikki's background includes teaching and research. She is a member of the Citizen's Clearing House for Hazardous Waste and Amnesty International. Rikki served as Board Secretary and leader of the Board Process Committee in FYs 1999 and 2000.

JEFFREY (SCOTT) VOWELL

Scott is a qualified emergency medical and hazardous materials technician and is employed as a firefighter at the Y-12 Plant. Scott lives in the City of Clinton and is on the 911 Board of Directors. He also owns the Golf Driving Range in Clinton.

CHARLES WASHINGTON, SR.

Charles is a retired environmental engineer. He holds B.S. and M.S. degrees in chemistry and has won numerous scientific awards and commendations, including Inventor of the Year and two Presidential Awards. Charles is interested in the impacts of DOE's activities on the Afro-American community.

APPENDIX A: FY 2000 BOARD MEETINGS

The tasks facing DOE-ORO EM are varied and complex, and the numerous programs involved in cleanup work are constantly evolving to meet EM needs. Keeping up with all those programs and activities is a challenge in and of itself, and one way ORSSAB does so is by devoting time during each monthly Board

meeting for presentations by individuals who play key roles in cleanup and management of the ORR.

Following is a list of FY 2000 presentations and a sampling of photos from Board meetings. Video tape recordings of meetings may be viewed by calling the ORSSAB support office at 865-241-3665.

DATE	PRESENTATION	SPEAKER
October 6, 1999	DOE-ORO Outlook	Leah Dever, Manager, DOE-ORO
November 3, 1999	Overview of the DOE-ORO EM Program	Rod Nelson, DOE-ORO EM Manager
December 1, 1999	Status of Management and Integration Contractor Activities	Joe Nemec, Manager, Bechtel Jacobs Company, LLC
January 5, 2000	EPA's Role in Federal Facilities Restoration	Dick Green, EPA Region 4
February 2, 2000	Watts Bar Fish Consumption Advisories	Earl Leming, TDEC; Susan Gawarecki, LOC
March 8, 2000	CERCLA 5-Year Review	Ed Carreras, EPA; Jason Darby, DOE-ORO
April 5, 2000	Metals Recycling	Pat Daly, MSC/BNFL
May 3, 2000	<i>Final Report of the Oak Ridge Health Agreement Steering Panel</i>	Jake Alexander, ORSSAB; Bob Peelle
June 7, 2000	Overview of the ORR Watersheds	Bill Seay, DOE-ORO, Leader, ORR Remediation Management Group
June 21, 2000	New member orientation	
July 5, 2000	Disposal Operations at Envirocare of Utah, NTS, and WIPP	Sue Rice, Envirocare of Utah; Frank Di Sanza, NTS; Dennis Hurtt, WIPP
August 11, 2000	Overviews of EM-Related Laws & Regulations, Risk Assessments, and SSABs	Dave Adler, DOE-ORO; Wilson McGinn, UT-Battelle; Bill Pardue, ORSSAB
August 12, 2000	Annual Planning Retreat	
September 6, 2000	ORSSAB Parliamentary Procedures	Rikki Traylor, ORSSAB



Bill Seay, leader of DOE's ORR Remediation Management Group, gives an overview of the ORR watersheds at the June 7, 2000, Board meeting. The presentation served two goals: to educate new members about the ORR and provide those already knowledgeable about the reservation with an update on current activities.



Risk sounds like a simple concept, but it can get complicated when you're talking ecological endpoints, toxicity assessments, and conceptual site models. Wilson McGinn, UT-Battelle, did a great job of simplifying and explaining the ideas behind risk assessments at the August 11, 2000, Board meeting.



Pat Daly of Manufacturing Sciences Corp., a BNFL subsidiary, explains metals recycling at the April 5, 2000, ORSSAB meeting. The meeting was held at the Oak Ridge campus of Roane State Community College as part of the Board's ongoing effort to broaden its interaction with the larger community and strengthen its ties with students and educational institutions.



The July 5, 2000, Board meeting featured representatives from WIPP, NTS, and Envirocare of Utah. The meeting offered stakeholders the opportunity to hear about these facilities firsthand and ask questions about how the facilities operate, what transportation options are available, and other issues related to radioactive waste disposal. Here, Dennis Hurtt of the DOE Carlsbad Area Office discusses WIPP.

APPENDIX B: FY 2000 RECOMMENDATIONS

Since its formation, the Board has studied a variety of issues related to DOE EM activities. Review of an issue often includes detailed briefings in an open forum where Board members and the public may ask questions and discuss their views. Committees prepare draft recommendations and comments for Board review, approval, and submittal to DOE. Meetings to prepare and approve recommendations and comments often consume many hours, and all are open to public participation.

Public participation is an integral part of the ORSSAB study and recommendation process. Each monthly Board meeting includes time for public input and response, and citizens attending the meetings are invited to ask questions and express views following technical briefings.

During FY 2000, the following recommendations and comments were generated by the Board. The recommendations, comments, and responses contained herein are abridged. Full text is available at the Information Resource Center and on the Board's Web site at <http://www.oakridge.doe.gov/em/ssab>.



RECOMMENDATION TO ESTABLISH AN EPA SITE OFFICE IN OAK RIDGE

BACKGROUND

EPA Region 4 headquarters is located in Atlanta, and the agency has no site office in Oak Ridge. ORSSAB and others believe that physical distance can be an impediment to communication between not only DOE and EPA but between EPA and the Oak Ridge community as well. The Board felt it appropriate, therefore, to make a written request that EPA, like TDEC, establish an office in Oak Ridge. Following is the Board's letter to John H. Hankinson, Jr., Regional Administrator for U.S. EPA Region 4.

RECOMMENDATION (DATED 10/27/99)

The leadership of ten of the SSABs recently met for the semiannual SSAB Chairs' Meeting at DOE's Hanford, Washington, site. Doug Sherwood, Hanford Site Manager for EPA Region 10, participated in the site tour that was provided at the meeting and was a major factor in the success of that event. We concluded that Mr. Sherwood's knowledge of the site, the obvious excellent professional working relationship he and his staff have established with the state regulators, DOE, and their on-site contractors, and the fact that they are co-located at the site must be contributing factors to the significant cleanup progress we observed at Hanford.

Subsequent discussions with Hanford Advisory Board members confirmed that the strong working relationships that exist among stakeholders, DOE, EPA, and the State of Washington have contributed to their cleanup successes. While each party had well defined roles and responsibilities, it was still possible for them to work in a collegial manner in resolving the complex technical and regulatory cleanup issues at Hanford.

We encourage you to adopt the successful Hanford regulatory model at Oak Ridge, with the objective of accelerating cleanup while maintaining proper regulatory oversight. We believe a constructive step in this direction would be to establish an EPA site office with permanently assigned personnel at Oak Ridge.

DOE and EPA Region 4 have discussed this topic off and on for several years without resolution. While we understand EPA's concerns regarding the establishment

of a local site office, we believe they can be resolved. Further, the full-time presence of such EPA representatives, in our opinion, would greatly advance the common goal of safe, efficient, and cost-effective cleanup of the DOE ORR.

We understand that the establishment of Hanford's EPA site office grew out of discussions among EPA, DOE, the State, and local stakeholder groups. We encourage you to discuss with Region 10 the details of their involvement on the Hanford reservation. We also request representatives of EPA Region 4, DOE, the State of Tennessee, and ORSSAB enter into exploratory discussions on the matter at the earliest possible time.

RESPONSE

Mr. Hankinson's response (abridged below) was received in correspondence dated November 19, 1999.

While all of the EPA Regional Offices structure their Federal Facilities Programs differently in an attempt to address State and local concerns unique to the Federal Facilities within their borders, I do appreciate the Hanford Advisory Board's opinion that the success of Hanford's cleanup program is substantially due to the presence of the local EPA office. Region 4 has determined that our DOE oversight staff should be located in Atlanta, based on our close proximity to Oak Ridge and that our Regional Office location allows for adequate independent oversight of this federal facility.

At this time, Region 4 has dedicated four full-time project managers, a Public Health Specialist, and a staff assistant to the Oak Ridge issues described in your letter. Team members spend a significant amount of time in face to face meetings with DOE and TDEC; coordinating project issues by phone with DOE and TDEC; attending public meetings; and participating in project meetings which involve SSAB, LOC and City of Oak Ridge representatives. I think this team of individuals exhibit similar strong working relationships with a focus on cleanup programs while providing the necessary oversight of this complex cleanup.

COMMENTS ON THE *Draft Proposed Sampling and Analysis Plan for the Scarboro Community, Oak Ridge, Tennessee*

BACKGROUND

In 1998, DOE performed sampling in the Scarboro Community in response to a request from community leaders. In 1999, EPA became involved in Scarboro sampling through a request by the NAACP. After meeting with Scarboro Community residents and DOE, EPA decided to undertake its own sampling as a direct validation and oversight of DOE results. As a Superfund oversight agency, EPA felt the questions in Scarboro were compelling enough to warrant a verification study. EPA's *Draft Environmental Sampling Plan for the Scarboro Community* was distributed to Oak Ridge stakeholders in July 1999, and on September 1 Camilla Bond Warren, EPA Section Chief for the DOE Remedial Section, discussed the draft plan at the monthly SSAB meeting.

RECOMMENDATION (DATED 12/1/99)

We are concerned that EPA has reached its decision to verify DOE's 1998 sampling effort without adequate rationale and without considering the wishes of the entire Oak Ridge community. The rationale for undertaking this additional sampling has not been adequately justified. EPA's basis for concern regarding radiological conditions in the Scarboro Community has not been established in a way that identifies the necessity to verify DOE's results, nor has there been any scientific basis established for the need for verification.

A basic question is: Does EPA have any scientific reason to question the DOE study? EPA's response to this question was to supply a copy of S.E. Matthews' memorandum "EIB-HWS Review of the Scarboro Community Environmental Study for Oak Ridge, Tennessee, SESD Project No. 99-0081." The questions and remarks in that memorandum are not substantive enough to support EPA's assertion that independent verification by EPA is required. Rather, they could be quickly resolved by addressing them with DOE.

We believe that the inherent heterogeneity of soils will make comparison of samples unreliable, and we are concerned that EPA has apparently decided to pursue this effort without considering what actions it will take should the study fail to validate DOE results.

Consideration of follow-on actions may indicate alternate sampling strategies or methods, such as split samples to be analyzed by DOE contractors. Would there be a request to delay the entire EM Program until discrepancies in Scarboro are resolved?

Assuming that EPA can substantiate the case for additional sampling, we feel it should be performed in a more comprehensive manner to include other areas in Oak Ridge. Such an effort should include comparative sampling methodology that will allow for direct comparison of specific uranium isotopes.

While we find no technical errors in the draft "Sampling and Analysis Plan" prepared by EPA, we do comment that such a plan generated by a contractor for EPA would likely be rejected for lack of detail.

In addition to ORSSAB comments, we are including a copy of our September 1, 1999, Board meeting minutes, which record comments made by the public (including residents of the Scarboro Community) concerning the draft sampling plan. We believe that the questions regarding the rationale and need for the study are pertinent. The questions raised are not adequately addressed by Ms. Warren's statement that "EPA feels verification is normal in this case." We request that EPA consider these public comments in the same manner as those made by ORSSAB and respond to them in writing, addressed to ORSSAB.

It is our position that this effort should not proceed without adequate and acceptable responses to these concerns. As a FACA group, established under Federal Energy Regulatory Commission guidelines, ORSSAB hopes that EPA will respond in a manner which recognizes our responsibility to be representative of and responsive to the majority of the citizens of this region.

RESPONSE

No response has been received, and the final plan has not been issued. Acknowledgment of ORSSAB comments was received in correspondence dated January 18, 2000.

ENDORSEMENT OF SWG'S *Oak Ridge Reservation Stakeholder Report on Stewardship, Volume 2*

BACKGROUND

In February 1999, ORSSAB sponsored a broad-based, independent citizens' committee known as SWG. The group was established to follow up on the efforts of EUWG, another broad-based stakeholder group sponsored by ORSSAB. In December 1999, SWG prepared and published the *Oak Ridge Reservation Stakeholder Report on Stewardship, Volume 2*, the companion document to the *Oak Ridge Reservation Stakeholder Report on Stewardship, Volume 1*, published July 1998 by EUWG. ORSSAB endorsed the Volume 2 report at its February 2, 2000, meeting in the following recommendation.

RECOMMENDATION (DATED 2/2/00)

At our February 2, 2000, Board meeting, ORSSAB endorsed the *Oak Ridge Reservation Stakeholder Report on Stewardship, Volume 2*, dated December 1999. The report was prepared by SWG, a volunteer group composed of representatives of local organizations and individuals, DOE, TDEC and EPA Region 4. SWG as a whole adopted the report.

In August 1998, the ORSSAB approved and forwarded to DOE, the *Final Report of the Oak Ridge Reservation End Use Working Group* and the *Oak Ridge Reservation Stakeholder Report on Stewardship*, both published in July 1998. Volume 2 of the Stewardship Report supplements these reports and addresses outstanding issues related to steward responsibilities and stewardship information and funding. A summary of recommendations is found

on pages v and vi. In addition, I call your attention to Section 1.2 for a review of national and local stewardship activities.

The Oak Ridge stakeholders have provided the impetus for many of these activities.

In October 1999, the ORSSAB sponsored a national SSAB Stewardship Workshop. Over 100 DOE stakeholders, including 50 members of DOE SSABs from nine DOE sites, met in Oak Ridge to discuss the current state of stewardship at DOE sites and the actions and activities for stewardship that are most important for DOE to pursue in the near future. At that meeting, the State of Tennessee presented a Certificate of Appreciation to EUWG and SWG for their outstanding recommendations toward end use and stewardship planning.

As remediation of the Reservation proceeds, the Board urges DOE to continue utilizing the stakeholders' stewardship recommendations found in the aforementioned reports.

We thank you, and DOE and contractor staff for your strong support of SWG. We believe it was a worthwhile experience for all concerned.

RESPONSE

DOE response is forthcoming.

RECOMMENDATIONS AND COMMENTS ON THE *Draft EIS for Treating Transuranic/Alpha Low-Level Waste at ORNL*

BACKGROUND

The EIS for treating transuranic (TRU)/alpha low-level waste will help determine the most viable alternative for treating these wastes on the ORR. DOE plans to dispose of its TRU waste at WIPP, although the state of New Mexico has not yet approved ORR shipments. ORSSAB made a number of comments on the document plus the following (abridged) statements.

RECOMMENDATION (DATED 4/5/00)

Road Construction—The issue of a new road to the TRU Waste Treatment Facility was raised at the February 1999 scoping meeting. At that time, DOE said it was moving forward on the road under a categorical exclusion. We find no categorical exclusion applicable to construction of a two-lane, 1.4-mile road through undisturbed woodland. We believe that DOE violated the National Environmental Policy Act (NEPA) and its DOE NEPA Implementing Procedures by (1) not preparing an environmental assessment for the construction of the road or (2) not including construction of the road in the draft EIS. Since the road is completed, ORSSAB recommends that DOE at least include the impacts of road construction in the cumulative impacts section of the final EIS.

Alternative 5—The public has been led to believe that TRU waste will be treated on site, and following treatment, the product will be transported to WIPP for disposal. We recognize that some of the treated remote-handled TRU waste may remain on site until waste acceptance criteria at WIPP are determined. However, such short-term storage of part of the treated TRU waste is qualitatively quite different from a decision to keep all treated waste in Oak Ridge indefinitely.

We find Alternative 5 unacceptable for the following reasons, and even if the assessment were adequate, we believe the public would reject long-term storage of TRU waste on site for these reasons as well:

- a feasible stewardship plan for long-term storage is lacking;
- the costs and funding of long-term monitoring and maintenance are not addressed;
- the effects on future land use and on community image are not correctly considered;

- the more expensive vitrification process would likely be required in order to decrease any impacts to human health and the environment during indefinite storage without maintenance.

Thus, ORSSAB recommends that:

- Alternative 5 be deleted from the final EIS or be altered to provide for only short-term storage in Melton Valley for no more than 30 years,
- the final EIS find the current Alternative 5 unacceptable, or
- the inherent problems associated with Alternative 5 be fully assessed in the final EIS.

General Comments—ORSSAB is inclined to agree with selection of the preferred alternative of low-temperature drying for the Melton Valley Storage Tank wastes and segregation for the solid wastes, assuming that the relative differences in impacts of the alternatives for the proposed action remain as presented.

That the preferred alternative will actually achieve RCRA land disposal restriction standards in the event that WIPP is not accepting remote-handled TRU waste in time to meet the TDEC Commissioner's Order is of concern. It is understood that testing is underway, with results possibly not available until after a ROD is reached selecting the alternative.

The document, in general, is not particularly user-friendly. It does not meet the expectations of the public in regard to other public documents from the EM Program. In fact, there are enough simple errors in the Executive Summary alone that it leads one to question if there are more complex errors buried in the technical sections.

RESPONSE

ORSSAB comments were addressed in a 15-page response included in Volume 2 of the final EIS. The ORSSAB Waste Management Committee is currently reviewing DOE's response to determine its adequacy. DOE's preferred alternative, evaporation to remove water and off-site shipping, was selected in the final EIS.

RECOMMENDATION ON THE *Draft Environmental Assessment for the Sale of Zinc Bromide Solutions for Commercial Recycling and Reuse*

BACKGROUND

In early 1999, DOE issued the draft environmental assessment (EA) in preparation for the sale of approximately 4000 gallons of used zinc bromide solutions for recycling and commercial reuse. ORSSAB reviewed the document and concluded that neither the action nor the analysis of issues contained in the draft EA were relevant to NEPA requirements. The Board made a number of specific comments on the document plus the following general statements.

RECOMMENDATION (DATED 5/3/00)

ORSSAB has reviewed the subject document and has concluded that neither the action decision DOE contemplates in this situation nor the analysis of issues contained in the draft EA seem particularly relevant to the requirements of NEPA.

It has been determined that the material in question is neither low-level radioactive waste nor RCRA hazardous waste. As such, the solutions can be released as government surplus property in accordance with established property management procedures that do not normally involve NEPA evaluations. In addition, the principle technical element of the EA analysis involves the protocols established in DOE Order 5400.5 for the release of "residual radioactive materials." Again, neither this order nor the protocols cited would seem applicable to these materials or the situation being evaluated. Ironically, although the EA indicates that the most likely use of the materials to be sold on the commercial market will involve the deliberate dispersion of these chemicals into the natural environment, no substantive attempt is made in the EA to evaluate the environmental impacts that might result from those discharges.

The SSAB recommends that DOE discontinue any further unnecessary attempts to address this proposed action under NEPA and simply advise the State of Tennessee in formal, written correspondence that, despite earlier erroneous designations, these zinc bromide solutions are not, in fact, low-level radioactive or hazardous wastes and that all references to these materials can be deleted from the Site Treatment Plan.

Should DOE elect to issue the EA, we request that the enclosed comments on the document be addressed. We find that, although the inventory of used zinc bromide solutions currently stored at ETTP may be safely released from DOE control for recycling, the evaluation and decision-making process may require more clarification than the document provides.

A more thorough discussion may be useful of the process in DOE Order 5400.5 to determine that the radionuclide levels of DOE-owned zinc bromide are not statistically different from the levels found in virgin material and any similarity to the No-Radioactivity-Added (NRA) determinations for hazardous waste to be shipped off-site for commercial treatment, storage, or disposal. Order 5400.5 states that no guidance is currently available for release of volumetrically contaminated materials but that such materials may be released if criteria and survey techniques are approved by EH-1. NRA determinations are understood to have standards for use of process knowledge, analytical results, or combination of the two. Process knowledge is understood to include adequate knowledge of the complete history of the material and that it was not exposed to unconfined radioactive material or particle beams capable of causing activation. The change in the initial characterization of this material as a waste and removal from service at ORNL to a storage facility at ETTP may indicate a deficiency in process knowledge. The NRA determination process based on analytical results is understood to involve a statistical determination that the radioactivity level is not significantly greater than background from commercially available or virgin materials. Any gap in process knowledge undermines the validity of a null hypothesis that no radioactivity has been added. We feel, therefore, that discussion of process knowledge should be added.

RESPONSE

ORSSAB comments were addressed in a response from Robert Sleeman, Group Leader of the DOE Environmental Services Group, dated June 1, 2000. The ORSSAB Waste Management Committee is currently reviewing DOE's response to determine its adequacy.

RECOMMENDATION ON FORMATION OF A PANEL TO EXAMINE NEW TECHNOLOGY ALTERNATIVES TO INCINERATION

BACKGROUND

In March 2000, DOE-HQ put on a hold on its plans to build an incinerator to treat nuclear waste stored at INEEL. As part of that decision, DOE announced that it would convene a blue-ribbon panel to study alternatives to incineration. The recommendations of the panel will affect the ORR because TSCAI will likely be the only active DOE incinerator by the end of 2000, and it may be shut down in two or three years. ORSSAB therefore determined that Oak Ridge stakeholders have a vested interest in participating on any panel charged with examining alternatives to incineration. Because the panel is to include members nominated by public interest groups, the Board requested that DOE include a stakeholder member from Oak Ridge. Following is text of the Board's letter to Secretary of Energy Bill Richardson.

RECOMMENDATION (DATED 5/3/00)

In March you announced that plans to build a mixed-waste incinerator at INEEL will be put on hold. You also indicated that a blue-ribbon panel will be convened to assess and recommend new technology alternatives to incineration. For this to be a truly national initiative, we believe DOE sites with incineration facilities should be represented, and we request that ORSSAB be allowed to nominate a representative to the panel.

As you know, Oak Ridge is the only DOE site in the country with an incinerator that treats wastes contaminated with radionuclides, hazardous constituents, and PCBs: TSCAI. Our Board has studied TSCAI extensively over the years, including evaluation of emissions monitoring technologies. We have sponsored public meetings on its operations; we have participated in a blue-ribbon panel appointed by Tennessee Governor Don Sundquist to study TSCAI safety issues; and we have made review of TSCAI operations an ongoing activity of our Waste Management Committee. Members of our Board have also kept themselves informed on the status of new technologies and their deployment. You may be sure that any recommendation we make for a representative to this new panel will be an informed choice.

We feel strongly that including a stakeholder representative from Oak Ridge will add value to the panel's deliberations by providing perspectives that could only have been achieved by actively participating in the study of a facility as unique as TSCAI and from having represented the public in discussing waste management and health and safety issues associated with the incinerator. We understand that other DOE incinerators are slated for shutdown in the coming months and that TSCAI will likely be shut down in two or three years. Oak Ridge stakeholders have a vested interest then in participating on any panel charged with examining alternatives to incineration. While the focus for this issue may have begun with construction of an incinerator at INEEL, we believe it makes sense to allow sites that may be directly affected by the panel's recommendations to take an active role in its deliberations since these recommendations may be applied nationwide.

RESPONSE

The following abridged response was received from Carolyn L. Huntoon, Assistant Secretary for EM, in correspondence dated June 23, 2000.

The Department recognizes and appreciates your board's expertise and involvement with issues associated with TSCAI at Oak Ridge. We are grateful for your offer to propose a stakeholder representative from the Oak Ridge Board for the blue-ribbon panel, however, the Secretary has already made his selection for representations.

In late April, the Secretary announced his appointment of the members of the blue-ribbon panel charged with evaluating alternatives to radioactive mixed waste incineration. The Secretary chose these task force members because of their expertise and experience in environmental management and the legal and technical aspects of hazardous waste management and related treatment technologies.

RECOMMENDATION ON A PILOT PROJECT TO INTEGRATE STEWARDSHIP NEEDS INTO THE CITY'S GEOGRAPHICAL INFORMATION AND RECORDS MANAGEMENT SYSTEMS

BACKGROUND

In early 2000, the City of Oak Ridge proposed a pilot project with DOE designed to integrate long-term stewardship needs into the City's geographical information system and records management systems. The ORSSAB Stewardship Committee was apprised of the proposal, and the committee concurred with the concept. Following is the text of ORSSAB's recommendation to DOE.

RECOMMENDATION (DATED 5/3/00)

At our May 3, 2000, Board meeting, ORSSAB supported the concept that the City of Oak Ridge and

DOE participate in a pilot project designed to integrate long-term stewardship needs into the City's geographical information system and records management systems. This is consistent with the Board's interest in long-term stewardship information and documentation.

We appreciate your consideration of this letter and look forward to receiving your written response.

RESPONSE

DOE response is forthcoming.

RECOMMENDATIONS AND COMMENTS ON THE *Draft Notice of Intent to Comply with Final Standards for Hazardous Air Pollutants from Hazardous Waste Combustors*

BACKGROUND

The Waste Management Committee has studied TSCAI extensively over the years and continues to track and comment on the various burn plans and permits required to operate the facility. Following are general comments on the *Draft Notice of Intent to Comply with Final Standards for Hazardous Air Pollutants from Hazardous Waste Combustors* approved at the July 5, 2000, ORSSAB meeting. Several technical comments were also made on the document.

RECOMMENDATION (DATED 7/5/00)

1. Continue to perform continuous sampling of stack metals emissions with periodic sample recovery and laboratory analysis in conjunction with metals feed rate limits.

2. Continue to evaluate emerging technologies for continuous or near real-time emissions monitoring, ensuring availability of adequate technical resources not encumbered with facility operational and compliance responsibilities and adequate support from equipment developers and vendors.
3. Evaluate impact of likely feed rate and concentration controls on the available disposal options for waste streams from the DOE Complex.

RESPONSE

ORSSAB recommendations and comments were addressed in the final Notice of Intent to Comply. The ORSSAB Waste Management Committee is currently reviewing DOE's response to determine its adequacy.

RECOMMENDATIONS AND COMMENTS ON THE 2000 *Remediation Effectiveness Report*

BACKGROUND

The *Remediation Effectiveness Report for the Oak Ridge Reservation* (RER) contains descriptions of remedial actions and monitoring requirements, summary and analysis of monitoring results, and recommendations on revisions to monitoring. To meet the CERCLA need for a 5-Year Review, the following will be added to the FY 2001 and subsequent RERs: Land Use Control Implementation Plan and other stewardship requirements and watershed exit pathway monitoring.

The current review will be more comprehensive in scale and will be the first site-wide 5-Year Review. It will include all five watersheds and all offsite locations associated with the ORR. The D1 version of the FY 2001 RER will be available in February 2001, and the final report will be issued by the end of FY 2001.

ORSSAB made several specific comments on the RER plus the following general statements (abridged here).

RECOMMENDATION (DATED 6/7/00)

ORSSAB recommends that DOE-ORO:

- Take whatever steps are necessary to declare that all RERs are part of the Administrative Record.
- Include stewardship requirements in CERCLA RODs and Action Memoranda.
- Stewardship requirements for remediated contaminated areas on the ORR must be described in statutory decision documents (i.e., RODs or Action Memoranda). It is unacceptable to relegate stewardship requirements to documents prepared after decision documents. Post-decision documents lack standing in court, and it is important for future generations to have legal recourse.
- Include a chapter on deletions or adjustments to monitoring and other stewardship requirements (e.g., physical and institutional controls).
- Include in an appendix a list of all remaining CERCLA remedial actions required for the ORR. Anticipated completion dates should be given. It is assumed that the Oak Ridge FFA will remain in effect throughout all cleanup operations, but if this is not so, actions required by other environmental laws should be entered in the list.

- Establish an annual public meeting for the draft RER to summarize remediation progress and provide for stakeholder input to the EM Program. It is important that DOE initiate an annual "State of the Reservation" meeting now so that it becomes an established event that provides current and future stakeholders with an understanding of remediation progress, problems, and planning.
- Improve the recommendation sections of the individual actions and the "Recommendations Summary" in Chapter 8. These sections typically lack substance and could be improved by inclusion of CERCLA decision logic.
- Address (quantify) under the sections on recommendations or evaluations:
 1. The risk to human health and the environment
 2. Acceptance levels

RESPONSE

The following response was received in correspondence from Rod Nelson, dated September 5, 2000.

The comments reflect a significant amount of effort as well as a unique pool of technical expertise. Many of the more technical and editorial comments have resulted in changes to the 2000 document. Other comments will help to guide us in our ongoing preparations for the 2001 RER. Others have touched on significant policy issues that DOE has been considering. The 2000 report and future RERs will be better documents as a result of our combined efforts.

The D2 2000 RER has been issued and is available at the Information Resource Center. Since the SSAB has reviewed the D1 version in great detail, DOE is not planning on a presentation of this revised document to the Board. Instead, based on comments from the Board, we are focusing our efforts on establishing an annual public meeting in 2001. Current plans are to hold an open house-type meeting after regulator review of the report. Technical experts from each watershed will be present to discuss the status and performance of their projects. This will enable stakeholders to gain an in-depth understanding of the projects which interest them and provide an opportunity for their input.

RECOMMENDATION FOR STEWARDSHIP REQUIREMENTS FOR CERCLA DOCUMENTS

BACKGROUND

ORSSAB reviewed several CERCLA documents to determine the adequacy of the stewardship sections. The concern is that DOE is delegating stewardship requirements for the contaminated areas on the ORR to unenforceable documents that will be prepared following the RODs or Action Memoranda. ORSSAB is not satisfied that DOE followed its recommendations that “DOE make stewardship an integral part of all CERCLA decision documents.”

RECOMMENDATION (DATED 7/5/00)

DOE must provide long-term stewardship requirements for the preferred alternative in CERCLA RODs and in Action Memoranda. The goals of institutional and engineered controls, the types of controls required, and the implementation, maintenance, costs, and enforcement should be evaluated as thoroughly as the proposed treatment technology in the remedy selection process. Evaluation results must be described in the decision documents.

Stakeholders accepted DOE’s proposal to produce watershed-level RODs (*Final Report of the End Use Working Group*, July 1998), but the concept of a site-wide ROD has never been discussed publicly. This discussion must take place and stakeholders allowed to make comments and suggestions if a site-wide ROD is proposed as the final solution. Even if the RODs currently under consideration are “interim” in nature, stewardship requirements must be incorporated and must be rolled up to the next level and ultimately to the site-wide ROD or some equivalent document. If changing circumstances demand changes to the stewardship requirements, stakeholders should then be consulted in decisions regarding such changes during the approval process for higher level RODs.

Implementation and funding of the stewardship activities must be acknowledged as the responsibility of the federal government, through its designated contractors or agents, as long as hazardous substances, pollutants, or contaminants remain above levels that allow for unlimited use and unrestricted exposure. The

roles and responsibilities of local and state governments and the public must be defined. The location(s) of a publicly available information system must be included along with a short description of what is included in the system (e.g., location of waste sites, characteristics, controls, contingency plans, points of contact). Provisions for annual RERs and 5-year reviews of remediated sites must be included.

The public participation sections of the CERCLA decision documents must be more comprehensive (e.g., to include provisions for public involvement in 5-year reviews of remediated sites and the annual RERs). An annotated table of applicable or relevant and appropriate public involvement requirements should be included so that stakeholders have an understanding of their remediation responsibilities and opportunities. It should include references to all CERCLA and National Contingency Plan requirements for public involvement, DOE and EPA guidance, FFA for the ORR, and the DOE Public Involvement Plan.

While this recommendation is not all-inclusive, we believe it provides an overview of the information that Oak Ridge stakeholders expect to find in DOE’s CERCLA decision documents for the ORR.

RESPONSE

The following response was received from Rod Nelson in correspondence dated October 3, 2000.

We are well aware of efforts your board and related stakeholder groups have made in helping to bring the issue of long-term stewardship to the forefront both locally and nationally. We applaud those efforts and will make every effort to include appropriate and legally enforceable long-term stewardship requirements in CERCLA documents currently in the development process and in those that will be produced in the future. Post-ROD documents such as Land Use Control Implementation Plans and Remedial Action Reports will contain more detailed language, spelling out specific stewardship measures. These documents are legally enforceable under CERCLA.

RECOMMENDATION FOR REVISIONS TO THE *Federal Facility Agreement for the Oak Ridge Reservation* REGARDING 5-YEAR REVIEWS

BACKGROUND

The 5-year review provision is included in Section 121(c) of CERCLA. It requires that remedial actions resulting in any hazardous substances, pollutants, or contaminants remaining at a site above levels that allow for unlimited use and unrestricted exposure be reviewed every 5 years to assure protection of human health and the environment. For sites where remedial actions are still under construction, a 5-year review should confirm that immediate threats have been addressed and the remedy is expected to be protective when all remedial actions are complete.

Requirements for implementing this provision of the Act are found in the *Code of Federal Regulations* (CFR). The requirement that reviews are to be conducted every 5 years after the initiation of the selected remedial action is listed in 40 CFR 300.430(f)(4)(ii).

Guidance for conducting 5-year reviews is issued by EPA. A revised draft of the EPA Comprehensive 5-Year Review Guidance was issued in October 1999 (EPA 540R-98-080, OSWER Directive 9355.7-0313-P, PB 99-963214). DOE, as lead agency for the ORR, must conduct 5-year reviews in a manner consistent with this guidance [CERCLA §120 (a)(2)].

DOE 5-year review reports for the reservation are submitted to EPA Region 4, where they are reviewed for technical adequacy, accuracy, and consistency with the EPA Comprehensive 5-Year Review Guidance. The EPA Regional Administrator issues a memorandum either concurring with report findings or documenting reasons for nonconcurrence. The memorandum and a copy of the report are forwarded to the EPA headquarters 5-Year Review Coordinator.

EPA considers 5-year reviews to be primary documents requiring enforceable schedules within the framework of an FFA. As described in Exhibit 2-4: FFAs of the draft Comprehensive 5-Year Review Guidance (p. 2-9), the FFA “. . . should include all site-specific 5-year review requirements, such as provisions for reviews, public participation, and correcting deficiencies.”

RECOMMENDATION (DATED 7/5/00)

ORSSAB recommends that Section XXXI of the FFA, 5-Year Review, be revised to include community involvement during 5-year reviews. At a minimum, Section XXXI should include the following public involvement provisions:

- public notice of forthcoming 5-year reviews and invitations to participate extended to interested citizens, community groups, and local government;
- public meetings to provide stakeholders with information about remedial activities subject to the 5-year reviews, to explain the 5-year review process, and to gather community issues and concerns related to forthcoming 5-year reviews;
- site visits;
- public review and comment periods for draft 5-year review reports;
- public notice of final 5-year review reports and the location of their availability;
- distribution of summary fact sheets to all individuals and groups who participate in the 5-year review process.

RESPONSE

The following response was received from Rod Nelson in correspondence dated October 3, 2000.

As you know, DOE has made every effort to include the public in the decision-making process regarding the Reservation EM Program, and will continue to do so. In order to ensure an adequate opportunity for public involvement in the 5-year review process, DOE proposes to modify the *Public Involvement Plan for the ORR* (DOE/OR/01-1552&D1) to reflect that intention. DOE plans a comprehensive revision of the plan, and we feel this issue will be best addressed in that document, which is a primary document under the FFA, rather than in Section XXXI of the FFA.

RECOMMENDATION FOR REVISIONS TO THE *Federal Facility Agreement for the Oak Ridge Reservation* REGARDING POTENTIAL DESTRUCTION OF DOCUMENTS

BACKGROUND

Availability of CERCLA records and documents is basic to understanding and assessing the effectiveness of remedial actions. Such records must be available for as long as there are hazardous substances, pollutants, or contaminants remaining at a site above levels that allow for unlimited use and unrestricted exposure.

Volumes 1 and 2 of the *Stakeholder Report on Stewardship* emphasize the importance of records to future generations and recommend that “DOE collect, preserve and integrate all information needed for long-term stewardship of the Reservation in its information management system” (Recommendation 8, Volume 2).

While Section XXXII of the FFA, Retention of Records, requires DOE “... to notify EPA and TDEC at least ninety (90) days prior to the destruction of any such records or documents,” we believe stakeholders also must be notified.

RECOMMENDATION (DATED 7/5/00)

ORSSAB recommends that Section XXXII of the FFA, Retention of Records, be revised to include public and local government notification of any impending destruction of CERCLA/Land Use Controls Assurance Plan documents related to remediation of contaminated areas on the reservation. Specifically, add “the public and local governments” to line 6 of Section XXXII.

RESPONSE

The following response was received from Rod Nelson in correspondence dated October 3, 2000.

As you know, DOE has made every effort to include the public in the decision-making process regarding the EM efforts on the Reservation, and will continue to do so.

With public input, DOE plans to update the *Public Involvement Plan for the Oak Ridge Reservation* (DOE/OR/01-1552&D1) and will incorporate public notification of any agreement among the three FFA signatory agencies (DOE, EPA, TDEC) to destroy any CERCLA documents. DOE plans a comprehensive revision of the public involvement plan, and we feel this issue will be best addressed in that document, which is a primary document under the FFA, rather than in Section XXXII of the FFA.

RECOMMENDATION FOR REVISIONS TO THE *Public Involvement Plan for the Oak Ridge Reservation*

BACKGROUND

As described in Part C.1.a. of Section XXI of the FFA, Review/Comment on RI/FS and RD/RA Final Documents, the DOE Community Relations Plan is a primary report subject to review and comment by the EPA and TDEC.

Section XXXIV of the FFA, Public Participation, states that work conducted under the FFA shall comply with the public participation requirements of CERCLA and all applicable guidance developed by EPA. Furthermore, Section XXXIV states that public participation "... shall be achieved through implementation of the approved Community Relations Plan prepared and implemented by DOE."

ORSSAB feels that the DOE Public Involvement Plan is out-of-date with regard to current information (e.g., telephone numbers, addresses, organization names) and recent stakeholder public involvement activities (e.g., EUWG, SWG, Oak Ridge Environmental Justice Committee). It is misleading with regard to application of the NEPA to CERCLA remedial actions. (In general, Chapter 2, A Stakeholder's Reference to Environmental Laws, should emphasize CERCLA and its implementing regulations.) It does not clearly and specifically list where, when, and how stakeholders should expect to be (are required to be) involved in CERCLA activities. Appendix A, CERCLA Involvement Requirements, does not provide references to the listed requirements. ORSSAB also questions the community involvement requirements in EPA guidance (e.g., the EPA Comprehensive 5-Year Review Guidance).

RECOMMENDATION (DATED 7/5/00)

ORSSAB recommends that the DOE Public Involvement Plan be rewritten with the assistance of Oak Ridge stakeholders and that a draft be distributed to EPA, TDEC, and the public for review and comment prior to finalization.

RESPONSE

The following response was received from Rod Nelson in correspondence dated October 3, 2000.

We agree that the subject document is in need of revision and updating.

With input from stakeholders, the subject document will be revised by DOE to more accurately reflect current and future public involvement activities on the ORR. The revision will include provisions for stakeholder participation in the annual revision of the RER and in 5-Year Reviews for actions taken under CERCLA.

Provisions will also be made for regular periodic review and revision of the plan in order to ensure its timeliness. As a primary document under the FFA for the ORR, these updates will be listed in Appendix E of that document.

RECOMMENDATION TO ENDORSE STATEMENT OF COMMON VALUES OF THE ENVIRONMENTAL MANAGEMENT SSABs

BACKGROUND

The SSABs from around the country worked from February to August to develop the following statement in order to codify mutual values and interests.

RECOMMENDATION (DATED 8/11/00)

Who We Are—The DOE EM SSABs are composed of interested and affected stakeholders who are concerned about environmental cleanup, stabilization, disposition of radioactive and hazardous materials and waste, and long-term stewardship at the DOE nuclear weapons and research facilities. The SSABs are chartered under FACA to provide independent technical and policy advice.

We are committed to informed and meaningful public, Tribal and stakeholder involvement in the decision-making process and policy development related to cleanup, environmental restoration, material stabilization and stewardship of DOE sites.

We believe public and worker safety and health, the protection and remediation of the affected environment, and compliance with all legal requirements should drive cleanup and stabilization decisions and policy.

What We Do—We provide an opportunity for open, informed, and inclusive discussion about proposed actions and decisions with DOE, EPA, state regulators, Tribes, local governments, stakeholders, and the general public. Our goal is to provide timely, informed technical and policy advice and recommendations to DOE, EPA, State regulatory agencies, or other entities, on issues relating to cleanup, environmental restoration, closure, stewardship, nuclear material disposition, hazardous and nuclear waste management decisions, and other matters.

What We Expect—We expect DOE and state and federal regulators will support and encourage effective public involvement in cleanup, environmental restoration, closure, stewardship, future use, nuclear material disposition, and hazardous and nuclear waste management decisions. DOE will seek and consider advice from the public and Tribes and provide opportunities for their involvement; locally and regionally, when the decision affects one site, and nationally, when the decision affects more than one site.

We expect DOE to ensure candid disclosure of timely, understandable, and relevant information to enable the SSABs to make informed recommendations and advice. We expect DOE and the regulators will continue to value the importance and benefit of continued public involvement, will respond substantively and promptly, and will give utmost consideration to environmental justice in their decision making. We expect DOE will honor Tribal treaties and conduct government to government consultation.

We expect DOE will request funding adequate to meet or exceed legal requirements, reduce current and future risks, and in accord with values and needs of local communities. We expect that DOE will protect the public, workers and the environment.

We also expect:

- Decisions to be protective of human health and the environment and based upon (1) a full assessment of human health and environmental risks; (2) a full evaluation of all life cycle costs; (3) at a minimum, full compliance with all legal requirements; (4) scientific and technical considerations; (5) community desires; and (6) cultural values.
- Cleanup/environmental restoration/closure/stewardship and nuclear materials management decisions to ensure the health and safety of present and future generations and protection of the natural environment.
- The Federal government commit to providing adequate funding for the proper cleanup and long term stewardship of DOE nuclear weapons production and research facilities.
- Complex-wide coordination and the full integration of all sites in planning nuclear materials stabilization, cleanup, environmental restoration, waste management (storage, treatment, and disposition), and transportation activities.

RESPONSE

Although no specific response was requested, the EM SSAB Common Values were widely distributed on September 21, 2000, to state and Tribal government working groups, the National Governors Association, DOE-HQ contacts and field office managers, state and federal regulators, and others.

RECOMMENDATION TO SECRETARY RICHARDSON EXPRESSING OPPOSITION TO DECISION TO SUSPEND SCRAP METAL SALES UNDER NRC REG GUIDE 1.86

BACKGROUND

In July 2000, the Secretary of Energy suspended the unrestricted release for recycling of metal from radiation areas within DOE facilities pending a decision by the Nuclear Regulatory Commission (NRC) whether to establish national standards. The suspension directly affects remediation activities at ETTP, where BNFL, Ltd., is cleaning up three buildings.

BNFL's contract was based in part on its ability to sell metals taken from the facilities on the commercial market. Money from those sales were supposed to help subsidize cleanup costs.

BNFL and its Oak Ridge recycling unit, Manufacturing Sciences Corp., had already sold about 8 million pounds of metals cleaned up to acceptable levels under the previous policy. That volume, however, was only a small fraction of the thousands of tons that could have been sold on the open market if the project had been allowed to proceed.

The secretary previously barred the release of any nickel taken from the Oak Ridge facilities, even though the state of Tennessee had reviewed the recycling program and approved a permit that allowed BNFL to melt the metal and release it with small amounts of contamination mixed throughout. The latest DOE order is broad-based and covers all metals with the potential for any nuclear contamination, whether it's internal or on the surface.

DOE later agreed to buy back recyclable metals from BNFL, and a final decision on the subject is anticipated in December 2000. ORSSAB members thought it important, however, to make their position on the subject known.

RECOMMENDATION (DATED 9/6/00)

ORSSAB wishes to publicly go on record as being strongly opposed to the Secretary of Energy's July 13, 2000, decision to place a moratorium on the commercial recycle of DOE-owned scrap metal with relatively low levels of surface radiological contamination that could otherwise be released under NRC's Reg Guide 1.86.

Scrap metal objects with low levels of radiological contamination on external surfaces have been safely released into the commercial metal recycle markets from both DOE and NRC-controlled operations for many years. There is no scientific evidence that would suggest that any adverse human health or ecological effects can be attributed to the commercial recycle of these materials.

Metal recycling, including scrap that can be recycled under Reg Guide 1.86, slows the rate of depletion of our nation's mineral natural resources and helps prevent the environmental and ecosystem impacts associated with the mining and processing of virgin metal ores.

Without parallel decisions by NRC and NRC-agreement states to also forbid such recycle practices in the nuclear industry and other private sector applications, and in the absence of any government policy limiting the import of metal materials and products containing residual levels of radioactivity from foreign countries, DOE's moratorium is meaningless from the public policy standpoint.

Under this moratorium, DOE-owned materials that could otherwise be returned to commerce and generate revenue will now have to be managed by DOE as low-level radioactive waste and, in some cases, chemically hazardous waste. The waste management and disposal costs that will ultimately have to be borne by the taxpayers to abide by the moratorium will be significant. Neither the funds expended nor the lands that will have to be displaced for waste disposal purposes will accrue any measurable long-term benefits to the people of the United States.

In summary, we believe that the technical and economic justification for the decision has not been substantiated. We sincerely hope that the Secretary will reconsider this decision.

RESPONSE

DOE response is forthcoming.

APPENDIX C: ABBREVIATIONS

BNFL	British Nuclear Fuels, Ltd.
CAB	Citizens Advisory Board
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	<i>Code of Federal Regulations</i>
DOE	U.S. Department of Energy
DOE-HQ	DOE-Headquarters
DOE-ORO	DOE-Oak Ridge Operations
EIS	Environmental Impact Statement
EM	Environmental Management
EPA	U.S. Environmental Protection Agency
ETTP	East Tennessee Technology Park
EUWG	End Use Working Group
FACA	Federal Advisory Committee Act
FFA	Federal Facility Agreement
FY	fiscal year
INEEL	Idaho National Engineering and Environmental Laboratory
IT3	International Conference on Incineration and Thermal Treatment Technologies
LOC	Local Oversight Committee
NAACP	National Association for the Advancement of Colored People
NEPA	National Environmental Policy Act
NRA	no radioactivity added
NTS	Nevada Test Site
ORNL	Oak Ridge National Laboratory
ORR	Oak Ridge Reservation
ORSSAB	Oak Ridge Site Specific Advisory Board
PEIS	Programmatic Environmental Impact Statement
RCRA	Resource Conservation and Recovery Act
RER	Remediation Effectiveness Report
ROD	Record of Decision
SSAB	Site Specific Advisory Board
SWG	Stewardship Working Group
TDEC	Tennessee Department of Environment and Conservation
TRU	transuranic
TSCAI	Toxic Substances Control Act Incinerator
WIPP	Waste Isolation Pilot Plant

IN MEMORIAM: RANDY GORDON, 1954-2000

This year's annual report is dedicated to Randy Gordon, a charter member and former ORSSAB chair. Randy succumbed to cancer July 12, 2000. He was 46 years old.



A resident of Ten Mile, in Roane County, Randy was a small business owner and realtor. He had long been active in local civic affairs before joining ORSSAB in 1995, serving as vice mayor and councilman for the city of Kingston.

Although new to Oak Ridge and its complicated environmental legacy, Randy

immersed himself in the issues and quickly became conversant in the many technical, economic, and political challenges that legacy poses for Oak Ridge and surrounding communities. Randy's particular interest was waste management. He understood the challenges facing DOE as the agency wrestled with the equitable disposition of wastes across the various sites in the DOE complex, and the advice and recommendations he helped craft were consistently well informed and insightful. In the process, he cultivated ties with his SSAB counterparts, particularly in Nevada, helping create an atmosphere of trust and cooperation that laid the groundwork for the recent landmark decision opening the NTS to Oak Ridge wastes.

Randy's interest in this topic continued beyond his term as Board Chair, and he served as leader of the Equity Issues Project Team in FY 1998 and the Waste Management Committee in FYs 1999 and 2000, until illness forced him to the sidelines. Still, he continued to participate whenever and however possible. Even though his treatments took him away for extended periods, when in town Randy still managed to make it to Board meetings—and it was as if he'd never left. Although Randy must have known his prognosis was poor, he never let on, never complained, and never encouraged a moment's sympathy.

In his final letter to friends and colleagues, Randy wrote, "Your prayers and good thoughts strengthen my resolve to confront and attack this challenge. I feel your prayers daily and they give me courage for tomorrow!" The faith and dignity with which Randy faced life's greatest challenge has inspired us all and given us greater courage for tomorrow. Although a new member has filled his seat at the table, Randy can never be replaced. His hard work, infectious enthusiasm, keen insight—and most especially, his personal friendship—are greatly missed.

